

EXHIBIT 10

July 28, 2008

Via E-mail

W. Thad Adams, III, Esq.
ADAMS INTELLECTUAL PROPERTY LAW P.A.
Suite 2350 Charlotte Plaza
201 South College Street
Charlotte, NC 28244

RE: Belk v. Meyer, Case No. 3:07-CV-168

Dear Thad:

We received your Amended Notice of Deposition dated July 23, 2008, requesting that Meyer produce witnesses and documents pursuant to Rule 30(b)(6) on August 4, 2008, in Charlotte, North Carolina. Notwithstanding the unreasonable tardiness of the Amended Notice (Belk's original Notice, while insufficient itself for failure to identify a time and place for the depositions, requested that the depositions proceed on August 15), Belk is prepared to produce three witnesses on August 4, 2008, in San Francisco, California.

As you are aware, the deposition of an organizational representative should take place in the district of the organization's principal place of business. *See Rapoca Energy Co. v. AMCI EXP. Corp.*, 199 F.R.D. 191, 193 (W.D. Va. 2001); *see also Thomas v. Int'l Bs. Machs.*, 48 F.3d 478, 483 (10th Cir. 1995); *Salter v. Upjohn Co.*, 593 F.2d 649, 651 (5th Cir. 1979).

Accordingly, Meyer is prepared to offer Robert A. Rae, Barry Minehardt, and Dean Krause on August 4, 2008, in San Francisco, California. The witnesses will be prepared to testify to the following topics identified in your Amended Notice: 1, 5, 8, 9, 11, and 19.

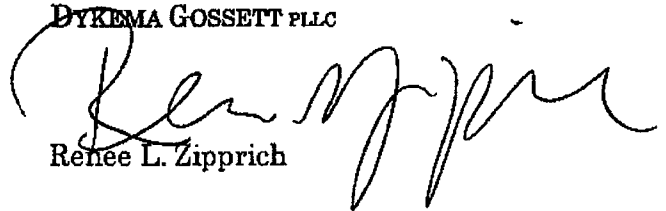
Please understand that due to the lack of sufficient notice, Meyer's witnesses have had to rearrange their schedules to make themselves available on August 4. In order to avoid added inconvenience to these key corporate individuals, please contact us by 4 p.m. today to confirm that you will proceed with the depositions in San Francisco on August 4. Incidentally, the witnesses are only available on August

✧ continued ✧

4, 2008, the date of your Notice. Accordingly, you will have to complete the depositions on that day.

Very truly yours,

DYKEMA GOSSETT PLLC

A handwritten signature in black ink, appearing to read "Renee L. Zipprich", written over the printed name.

Renee L. Zipprich

cc: *Dean A. Dickie, Esq.*
Alex J. Hagan, Esq.